

EXHIBIT 38

1. My name is Sheryl Green Fontenot. I am over the age of 18 and otherwise competent to give this affidavit.
2. I was born in 1969, and now I live in Desert Hot Springs, California. I am the half sister of Patrick Henry Murphy Jr. We have the same mother – Carol Goodman.
3. Patrick is about eight years older than I am. I was just a baby when he moved out of our mother's home and moved in with his biological father.
4. Patrick and I did not know each other as children, but we have become close as adults. I was raised by our mother, just like Patrick was before he went to live with his father.
5. When I was growing up, my mother would leave me for weeks or months at a time with my aunt Linda Goodman. I never knew where my mother was or who she was with when she left me. My mother wouldn't call to check on me or brother or sister when we were with my aunt. She wouldn't leave us with any food or clothes. We would go to my aunt dirty. My aunt had to take care of everything we needed when my mother left us.
6. When we were with my mother, she was always bringing different men home. Some would be with us for only a little while, but some of them would live with us for longer.
7. I don't know who my father is. My last name comes from one of my mother's boyfriends, Leslie Green. He was a convicted child molester who my mother lived with when Patrick was a little boy. I have heard that he could not be my biological father because he is sterile.
8. Leslie Green was in and out of my mother's life. I remember being around him when I was a little older. He would sometimes tickle me until I peed.
9. When I was five, my mother married a soldier named Jerry Wright. I called him The Beast because of all the things he did to me. We lived with him in different places, including in Oklahoma. He sexually abused me, but my mother ignored it. He was abusive to my mothers, too, and when the police were called, they told her that she could either divorce him, press charges or have him committed to a mental institution. She

chose divorce, and we moved back to Texas. Wright followed them because he was very possessive. He broke into our house and threatened us.

10. My mother didn't protect me or my siblings. She always chose men over her children.
11. My mother would yell and scream constantly at me and my siblings. Sometimes she would shake me when she was angry and pull my hair.
12. My mother would often leave us in the car when she went into bars. We would get hungry, and my brother Allen sometimes had to steal food so that we could eat.
13. My mother would also allow all of her kids to drink if we wanted. We didn't have any rules with her.
14. As a teenager I tried to use drugs and alcohol to escape from my life. I suffered a nervous breakdown when I was eighteen. I was often depressed and was pregnant with my first child at the time.
15. When I was living with my aunt Linda, I would sometimes run away to my mother because she did not care if I drank alcohol or used drugs. I could do whatever I wanted when I stayed with her.
16. My mother often acted stupid and was knocked out from using drugs and alcohol. She got stopped repeatedly for driving drunk when us kids were in the car. The police never seemed to charge her. For a time she wrecked about one car per year due to her drunk driving.
17. Sometimes we would call the police when our mother was acting crazy, but they always said it was a family matter and did not want to be involved. As far as I know, they never called child protective services about our situation. No one protected us, and I learned to trust no one.
18. By the time I was a teenager, Patrick was in jail for aggravated rape. We wrote letters to each other where we talked about what happened to us growing up. Patrick was the only person I could talk to about what happened to me. He didn't judge me and believed what I was saying. Writing to Patrick was like therapy. I think he was so understanding because he knew what our mother was like. He knew things were not good at home. He was very angry at our mother for the way she had treated us.
19. Before Patrick's trial, a female attorney flew out to California to talk to me and my aunt Linda. She asked about his early life. The attorney provided airline tickets to come back for the trial and put us up in a hotel. I wasn't allowed in the courtroom during the trial in case they asked me to testify, but they never did.

Pursuant to 28 USC § 1746, I declare under penalty of perjury that the foregoing is true and correct

A handwritten signature in black ink, appearing to read "Sheryl Green Fontenot", written over a horizontal line.

Sheryl Green Fontenot

6-25-10

Date